

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
BULK MATERIALS INTERNATIONAL CO.,

Plaintiff,

-against-

M/V SMARTY, her engines, boilers, etc.,  
and ALMONIO SHIPPING CO. LTD.,

\_\_\_\_\_  
Defendants.

USDS SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/7/08

Case No.: 07 Civ. 9748 (CM)

**STIPULATION AND  
ORDER OF TRANSFER**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, attorneys for the parties herein, that for the convenience of the parties and witnesses, this case is hereby transferred to the Southern District of Florida, West Palm Beach division, pursuant to 28 U.S.C. §1412; and

IT IS FURTHER AGREED that except as set forth below, all terms of the Club Letter of Undertaking ("LOU") dated April 5, 2007 and issued by the American Club in this regard will remain in full force and effect following the transfer, and


IT IS FURTHER AGREED that the LOU will be modified only to reflect that any dispute between the parties to the LOU shall be submitted to the exclusive jurisdiction of the United States District Court for the Southern District of Florida.

Dated: New York, New York  
February 1, 2008

**NICOLETTI HORNIG & SWEENEY**

Attorneys for Plaintiff

*Bulk Materials International Co.*

  
Lawrence C. Glynn (LG 6431)

Wall Street Plaza

88 Pine Street

New York, New York 10005

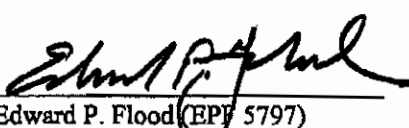
(212) 220-3830

File No.: 92000061JFS

**LYONS & FLOOD, LLP**

Attorneys for Defendant

*Amonio Shipping Co. Ltd.*

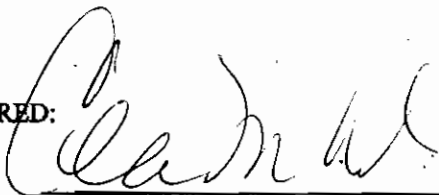
  
Edward P. Flood (EPF 5797)

65 West 36<sup>th</sup> Street, 7<sup>th</sup> Floor

New York, New York 10018

(212) 594-2400

SO ORDERED:



U.S.D.J.

2-7-08